IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

THE HON'BLE MR JUSTICE N.V. RAMANA

WRIT PETITION NO : 18742 of 2006

DATED: 30-4-2007

Between:

Thamma Srinviasa Reddy petitioner

And

The Commissioner of Endowments of A.P.
Tilak Road, Abids, Hyderabad & ors respondents

THE HON'BLE SRI JUSTICE N.V.RAMANA

WRIT PETITION NO. 18742 OF 2006

ORAL ORDER:

This writ petition is filed questioning the action of the respondents in not transferring the petitioner to any temple in the jurisdiction of second respondent, enabling him to attend desk duties in view of locomotor disability, as illegal and arbitrary.

The petitioner is employed as Record Assistant in the third respondent/group of temples. The petitioner is entrusted with the duty of collection of rents from the cultivating tenants. The petitioner alleges that he is suffering from "secondary OA left knee joint with polyaerthritis" and facing severing difficulties in approaching the cultivating tenants who were spread over distant places. The petitioner after making several oral requests made representations dated 15.12.2003 and 9.11.2005 to the first respondent to transfer him to jurisdiction of second respondent and to accommodate him in desk work. In turn, the first respondent issued proceedings dated 4.1.2006 directing the second respondent to accommodate the petitioner on deputation in any of the temples, followed by proceedings dt 16.5.2006 to similar effect. Since, no further action is taken in the matter, the petitioner filed the present writ petition contending that in terms of Section 47 of the Persons With Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995 an employee who acquires disability shall be shifted to some other post.

When the matter is taken up, learned Government Pleader for

Endowments submitted that the writ petition may be disposed of directing the petitioner to submit a fresh representation to the second respondent and the same will be considered in accordance with law.

Heard the learned counsel for petitioner and learned Government Pleader for Endowments. Both counsel agreed for disposal of the writ petition at the admission stage.

Having regard to the agreed stand taken by both the counsel, the petitioner is directed to submit a detailed representation to the first and second respondents, and on submitting such representation, the first and second respondents are directed to consider the same and pass appropriate orders thereon in accordance with law, expeditiously, preferably within a period of four months from the date of submission of the representation by the petitioner.

Accordingly, the writ petition is disposed of. No costs.

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N.V.RAMANA,J

DATE 30.4.2007
TVK

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